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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,578	10/16/2001	Alfred F. Bergeron	07703-356001/ WCR0125	7893

26211 7590 07/09/2003

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EXAMINER

BEAUCHAINE, MARK J

ART UNIT PAPER NUMBER

3653

DATE MAILED: 07/09/2003

#9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,578

Applicant(s)

BERGERON ET AL.

Examiner

Mark J. Beauchaine

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) 45-50 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-30 is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-17, 19-23 and 31-38 is/are rejected.
- 7) ☒ Claim(s) 11, 18, 24 and 39-44 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4&6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

Claims 45-50 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 8. The Examiner acknowledges the Applicant's assertion that Group I (claims 1-30 and 36-44) and Group II (claims 31-35) of Restriction (Paper Number 7) are an apparatus and method, respectively, containing the same elements. Accordingly, the restriction between Groups I and II has been withdrawn and the claims of both of said groups have been considered on their merits.

Inventorship

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Drawings

New corrected drawings are required in this application because of the following deficiencies:

Figures 8, 9, 16B, 18B, 23 and 24 are objected to as failing to comply with 37 C.F.R. 1.84(h)(2) that states "[w]hen a portion of a view is enlarged for magnification purposes, the view and the enlarged view must each be labeled as separate views." Labeling enlarged details of the above-mentioned figures as Figures 8A, 9A, 16C, 18C, 23A and 24A, respectively, would be acceptable.

Figures 9 and 24 are objected to as failing to comply with 37 C.F.R. 1.84(k) that states "[I]ndications such as 'actual size' or 'scale 1/2' on the drawings are not permitted since these lose their meaning with reproduction in a different format."

Figures 14 and 15 are objected to as failing to comply with 37 C.F.R. 1.84(p)(3) that requires numbers and letters to measure at least 1/8 inch in height.

Figure 21 is objected to as failing to comply with 37 C.F.R. 1.84(h)(1) that states "[w]hen an exploded view is shown in a figure which is on the same sheet as another figure, the exploded view should be placed in brackets."

Appropriate correction is required.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

The Patent and Trademark Office no longer makes drawing changes. See 1017 O.G. 4. It is applicant's responsibility to ensure that the drawings are corrected. Corrections must be made in accordance with the instructions below.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the "Notice of Allowability." Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136 for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsman.

2. Corrections other than Informalities Noted by Draftsman on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsman, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be

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allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.185(a). Failure to take corrective action within the set (or extended) period will result in **ABANDONMENT** of the application.

Specification

The disclosure is objected to because of the following informalities:

Pages 2 and 3; The Brief Description of Drawings section should be amended to reflect any new figure labeling per the above-mentioned drawing objections.

Page 5, line 9; spring member "(16)" appears to refer to spring member "(23)" (cf. Figures 9-11).

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 43 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Said claim recites the limitation "interrupt portion" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim. It

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appears that the Applicant intended for the second line of claim 42 to read "interrupt portion" in lieu of "interrupt position."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 19, 21, 23, 31-33, 35, 36 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Patent Number 4,913,341 by Bachman (hereinafter Bachman).

Regarding claims 19 and 36, the currency storage device disclosed by Bachman incorporates storage tray 18, alignment member 148, latch member 106 and bias means 98 that read on the Applicant's cassette, guide means, latch means, and biasing means, respectively.

Regarding claim 21, the access door 70 of Bachman reads on the Applicants access door.

Regarding claims 23 and 38, the alignment plate 130 of Bachman reads on the Applicant's stacker mechanism.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number 5,662,202 by Suris (hereinafter Suris) in view of Patent Number 5,251,738 by Dabrowski (hereinafter Dabrowski).

Regarding claims 1 and 17, the currency validator and cassette disclosed by Suris incorporates stacker 16 and a removable cassette cash box 18 that is insertable into currency validator 10. Suris fails to disclose a lockable access door. However, the use of lockable access doors for securing the contents of currency cassettes is well known in the art. Dabrowski teaches a currency handling system that incorporates a currency cassette 60 that includes a lid 70 that is secured by lock 76. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the lid 70 and lock 76 of Dabrowski into the cassette 18 of Suris to provide a means of securing currency.

Regarding claims 2-8, the materials of Applicant's claims 2, 3, 5, 6 and 7 and the fabrication processes of claims 4 and 8 are obvious design choices that are well known in the art.

Regarding claim 9, Suris further discloses handle 138.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suris in view of Dabrowski as applied to claim 1 above, and further in view of Patent Number 4,655,391 by Granzow et al (hereinafter Granzow). The currency cassette taught by Granzow incorporates transparent window 108 incorporated into cassette 20.

Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suris in view of Dabrowski as applied to claim 1 above, and further in view of Patent Number 4,513,439 by Gorgone et al (hereinafter Gorgone). Suris fails to disclose and Dabrowski fails to teach a transporter that incorporates rollers. However, the use of rollers as a currency transportation means is well known in the art. Gorgone teaches security validator that incorporates rollers 40 as a transportation means. Furthermore, said rollers 40 consist of hub 54 and rubber O-ring 62. Accordingly, it would have been obvious to one of ordinary skill in the art to incorporate the roller transportation means of Grogone into the currency validator of Suris to provide an effective currency transportation means.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suris in view of Dabrowski as applied to claim 1 above, and further in view of Patent Number 3,918,371 by Gartner et al (hereinafter Gartner). The cassette 60 taught by Dabrowski fails to incorporate a means of securing the lid 70 with hinge pins removed. However, such a lid securing means is well known in the art. Gartner

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teaches a safe deposit doors 20a, 20b that incorporates lugs 46a, 46b that are inserted into partition 13b (see Figure 3). Said lugs secure maintain the doors in a secure position within the partition when all door hinge pins are removed. Accordingly, it would have been obvious to one of ordinary skill in the art to incorporate the door securing lugs of Gartner into the lid 70 of Dabrowski to provide an effective currency securing means.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bachman as applied to claim 19 above, and further in view of Patent Number 4,638,746 by Ishigure (hereinafter Ishigure). Bachman fails to disclose an apparatus comprising a flexible handle. However, the use of handle to transport a currency cassette is well known in the art. Ishigure teaches a cash container 1 incorporating handle 23. Accordingly, it would have been obvious to one of ordinary skill in the art to incorporate the handle of Ishigure into the currency storage device of Bachman to provide an effective currency transportation means.

Claims 22 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bachman as applied to claims 19 and 31, respectively, and further in view of Patent Number 4,655,391 by Granzow et al (hereinafter Granzow). The currency cassette taught by Granzow incorporates transparent window 108 incorporated into cassette 20.

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bachman as applied to claim 36 above, and further in view of Suris. Bachman fails to disclose a banknote validator. However, the use of such a validator in conjunction with a currency storage and stacking device is well known in the art. Suris teaches a currency storage device that incorporates validator 10. Accordingly, it would have been obvious to one of ordinary skill in the art to incorporate the validator 10 of Suris into the storage device of Bachman to provide an effective means of verifying the authenticity of stored banknotes.

Allowable Subject Matter

Claims 25-30 are allowed. Claims 11, 18, 24 and 39-44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (703)308-6336. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (703)306-4173. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9326 for regular communications and (703)872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.

mjb
June 30, 2003


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